

#5802

AIDE MEMOIRE

KENYA'S MILITARY INTERVENTION IN SOMALIA

I. Background

1. The prolonged situation of crisis and conflict in Somalia, resulting from the collapse of the state of Somalia in 1991, has progressively mutated into a myriad of threats to the Somali population, the neighbouring states, the region and the international community.
2. IGAD and the African Union (AU) have consistently called upon the international community to focus serious attention on these growing threats. Countries in the region, including Kenya, have also repeated these calls time and again in both bilateral and multilateral fora. However, most of these pleas have been met with inadequate, inconsistent and unsustainable support, hence the continued growth of the crisis in Somalia over time.
3. It is notable that the security situation in Somalia improved following the defeat of the Al Shabaab militia. This success was the result of six months of intensive military operations by the Transitional Federal Government (TFG) and AMISOM forces, leading to the subsequent withdrawal of Al Shabaab from Mogadishu on 6th August 2011. The militia retreated to Kismayu and has since re-grouped. It now poses a significant threat to peace and security in Somalia and throughout the region, and to Kenya in particular.

II. Synopsis of the Threat Posed to Kenya's Territorial Integrity, Stability and Prosperity

1. The threat posed by Al-Shabaab on Kenya's national security and economy at large has grown progressively over the years, and has now reached an alarming level. Al Shabaab has progressively increased the frequency and scale of its attacks, both on Kenyan soil and in Kenya's territorial seas, particularly after retreating from Mogadishu to Kismayu and regaining control over Doble and other areas close to Kenya's borders. Below is a chronological summary of Al Shabaab's attacks on Kenya, revealing a pattern of growing confidence:-
 - a) 2009: Attack on Dadajabula Police Post;
 - b) 2009: Abduction of two Catholic nuns in Elwak;
 - c) 2010: Attack on the General Service Unit (GSU) Camp in Liboi;

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- d) March, 2011: Border violations in Mandera;
 - e) July, 2011: Laying of Mines and Improvised Explosive Devices (IED) in Mandera town targeting Military Police;
 - f) September, 2011: attacks along the Kenya Somalia border;
 - g) July, 2011: Abduction of two Kenyan soldiers in July, 2011;
 - h) 11th September, 2011- British couple attacked, husband killed and wife kidnapped by suspected Al Shabaab or associated militants at a Lamu resort;
 - i) 1st October 2011, disabled French woman abducted from her home in Lamu and taken to Ras Kamboni, inside Somalia. She later dies in the hands of the kidnappers;
 - j) 13th October, 2011: Abduction of two Spanish aid workers from the Dadaab refugee camp, IFO II extension, and their Kenyan driver shot in the neck;
 - k) September, 2011: Attempted attack on a merchant ship at sea, right at the entrance to Mombasa Port.
2. Al Shabaab's militant activities in Somalia and within the region have led to an influx of small arms and light weapons, refugee inflows into Kenya, an increase in human trafficking and other forms of organized crime such as abduction of citizens and visitors, as well as an escalation of criminal activity in rural and urban areas. The Kenyan economy has witnessed a slump in earnings from tourism, an increase in money laundering and other criminal activities, increasing demands on Kenya's resources to sustain the world's largest refugee camps which now host over 600,000 refugees, as well as a disruption of the daily economic activities of Kenyans in the affected areas.
3. Significantly, Al Shabaab's attacks focus on security establishments and unarmed civilians. These violations, particularly the daring kidnap of Kenyan security personnel within Kenya's territory in July this year, have created a heightened sense of anxiety and insecurity among the populace. They have also caused serious disruptions to the lives of Kenyans living close to the border, leading to an accumulation of arms for purposes of self defence.
4. This heightened sense of fear and insecurity prevailing in the affected areas has led to the disruption of productivity and livelihoods of the local people. In particular, Al Shabaab's strategy of abducting foreign nationals in Kenya affects tourism, which has wider ramifications on other sectors of the economy, including hotel accommodation,

employment, the service industry and the associated supply chains. Currently, hotels along the north coast have witnessed a cancellation of about 70% of bookings.

5. There has also been a heavy cost to the Kenyan economy, as well as other countries within the region, on account of the activities of pirates operating off the coast of Somalia. The long term impact on the security, stability and prosperity of the country of Al Shabaab's activities and threats over time can only be estimated, and by all standards, is enormous.

III. The International Dimensions of the Activities of Al-Shabaab

1. **International Terrorism** - Al Shabaab's links to the Al Qaida terrorist network are clear and acknowledged internationally. Some elements of Al shabaab, including their commanders have been trained in Afghanistan and Yemen. The terrorist organization therefore poses a serious threat to peace and security in the region and internationally;
2. **Disruption of sea commerce** - The menace of piracy off the coast of Somalia and the Gulf of Aden has impacted negatively on the economies of countries in the region and on global trade in general due to the increased cost of sea freight and insurance. Piracy is also closely tied to the terrorist militia activities on mainland Somalia, and serves as an important source of funds that feed the Al Shabaab and other armed militias waging war on the mainland.
3. **Influx of refugees into Kenya** - Al Shabaab's activities in Somalia have continually sparked streams of refugees into Kenya. Owing to the heavy burden of over 600,000 Somali refugees, the Government of Kenya has allowed humanitarian actors to assist in the provision of relief and social services in the camps. However, Al Shabaab has also persistently obstructed humanitarian assistance to Somali refugees by abducting humanitarian aid workers, thereby forcing humanitarian agencies to significantly scale back their activities and exacerbating the already difficult conditions at the complex. Inadequate emergency relief services are expected to accentuate competition for scarce resources between the refugees and the local community, thereby heightening the already existing tension and conflict.

IV Response by the Government of Kenya to Curb the Growing Terrorist Threats

1. On 16th October, 2011, the Government of Kenya launched "Operation Linda Nchi". This decision was the result of intensive and extensive discussions and consultations. This decision took into account the following resolutions adopted by the international community:-

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- a) United Nations Security Council Resolution 1816 of 2nd June 2008 authorized States cooperating with the TFG to enter the territorial waters of Somalia, for a period of six months, and use all necessary means to repress acts of piracy and armed robbery. This authorization was subsequently extended for one year pursuant to resolution 1846 (2nd December 2008);
 - b) United Nations Security Council Resolution 1851 (16th December, 2008) authorized states cooperating with the TFG to conduct land-based missions in Somalia for a period of twelve months. Both the authorization to enter Somali territorial waters and to conduct land-based missions in Somalia were extended for successive one-year periods in resolutions 1897 (30th November, 2009) and 1950 (23rd November, 2010);
 - c) Decision of the IGAD Summit of 5th July, 2010 embraced the need to mobilize Somali forces internally, with possible intervention by neighbouring countries;
 - d) Decision of the IGAD Summit of 30th January, 2011 expressed grave concern regarding the precarious humanitarian situation in Somalia and the action by Al-Shabab that continued to deny the needy segments of the population the badly required humanitarian assistance, and reiterated the readiness of IGAD Member States to provide safe corridors for humanitarian aid.
2. In addition, Kenya has over the years sought to foster peace and stability within the sub-region and has incorporated peace diplomacy as a key Foreign Policy pillar. Kenya has therefore been, and remains a good friend and neighbour to Somalia. Kenya hosted peace talks over several years which culminated in the establishment of the Transitional Federal Government. Kenya has remained committed to resolving the conflict in Somalia, and has consistently called for decisive action by the international community. Further, Kenya opened its doors to Somali refugees in 1991, and currently hosts the world's largest refugee camps which are home to over 600,000 Somalia nationals.
3. Following the installation of the TFG, Kenya has continuously provided training to the TFG security forces and provided numerous other forms of support, including opening its border and facilities for use by the administration of the TFG to-date. Since the deployment of AMISOM troops to Somalia, Kenya has continued to provide medical facilities to AMISOM troops. Furthermore, the management and organization of humanitarian operations in Somalia as well as the United Nations Political Office for Somalia (UNPOS) are based in Kenya. Comparatively, Kenya carries the largest burden on account of the instability in Somalia than any other country in the world.

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4. However, Al Shabaab's activities in Kenya have, as illustrated above, escalated to unacceptably high levels. Al Shabaab's subversive activities on Kenyan soil are indicative of the group's determination to destabilize Kenya, and the region at large, and warrant an urgent and coherent course of action to stem them.
5. It is in light of the immense security ramifications for Kenya, and the region at large, that the Government of Kenya resolved to take firm and decisive military action to eliminate the threats to national security posed by the Al Shabaab insurgents and, in doing so, safeguard its security, stability and territorial integrity.
6. Subsequently, on 18th October, 2011 Kenya's Minister for Foreign Affairs, Hon. Moses Wetangula, led a delegation which included the Minister of State for Defence, Hon. Yusuf Haji to Mogadishu. The delegation met H.E. Sheikh Shariff, President of the TFG, as well as the Prime Minister, H.E. Abdiweli Mohamed Ali, and deliberated on the security situation. The two Governments undertook to continue working together to stabilize Somalia and stamp out the threats of the Al Shabaab elements, to cooperate in undertaking security military operation and coordinated pre-emptive action, and reaffirmed their commitment to continue to work together in urging the international community to favorably consider the recommendations and decisions of the IGAD and AU in relation to strengthening peace support operations in Somalia.
7. The following day, 19th October 2011, the Kenyan delegation held two sets of consultations in Addis Ababa. Firstly, they met with H.E. Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia and Chairperson of IGAD. Thereafter, they held discussions with H.E. Dr. Jean Ping, Chairperson of the African Union Commission. The delegation briefed both leaders on the visit to Mogadishu and the security situation in Somalia. During the consultations, it was noted that many windows of opportunity to tackle the terrorist menace and bring peace to Somalia had been missed, and that this was therefore an opportune moment to deal with the problem of Al Shabaab before the situation escalated further. It was also affirmed that better results could be achieved if regional partners, including IGAD and the AU, buttressed the efforts by Kenya and worked together to deal with the Al Shabaab problem conclusively.
8. Subsequently, an Extra-Ordinary Session of the IGAD Council of Ministers was held on 21st October, 2011 in Addis Ababa to discuss developments in Somalia. The session endorsed Kenya's co-operation with the TFG of Somalia. It welcomed and supported

the up-scaling of security operations by Kenya in response to threats by Al Shabaab, including the pursuit of Al Shabaab under "Operation Protect the Nation". The Council reiterated its call for the enhancement of the capacity of AMISOM, and urged the international community to redistribute the burden of hosting the refugees.

9. Within the short span of time since "Operation Protect the Nation" begun, Kenya has achieved major successes against Al Shabaab. However, it must be appreciated that the complex security situation in Somalia has far-reaching effects within the region as well as internationally. It requires sustained and resolute regional and international cooperation and action if a comprehensive solution is to be found. Kenya is acutely aware of this fact, but cannot stand back and watch its own security and stability deteriorate to such unacceptable levels. Kenya therefore reiterates its call for support from the international community to ensure a peaceful, secure and stable Somalia in the long term.

V Conclusion

Kenya will continue to work closely with the TFG to deal decisively with the threat of terrorism posed by Al Shabaab and other armed terrorist militia operating in the two countries. Kenya remains seized and fully committed to the search for sustainable peace in Somalia, and will continue to work through IGAD to advocate for the international community to play its full and proper role in stabilizing Somalia. On their part, Kenya urges the President, Prime Minister and Speaker of Somalia, as well as other stakeholders within the transitional Federal Government of Somalia, to continue working together to realize peace and stability in their country.

**MINISTRY OF FOREIGN AFFAIRS
OCTOBER, 2011
NAIROBI.**